

**STATE BOARD OF ELECTIONS
Special Board Meeting
Monday, January 9, 2006**

MINUTES

PRESENT:

**Jesse Smart, Chairman
Wanda Rednour, Vice Chairman
Patrick Brady, Member
John Keith, Member
William McGuffage, Member
Albert Porter, Member
Bryan Schneider, Member
Robert Walters, Member**

ALSO PRESENT:

**Dan White, Executive Director
Steve Sandvoss, General Counsel
Becky Glazier, Assistant to Executive Director
Amy Calvin, Administrative Specialist**

The special meeting of the State Board of Elections was called to order via telephonic means at 10:00 a.m. with seven members present. Vice Chairman Rednour was delayed and Member Keith held her proxy.

The first item on the agenda was consideration of a proposed settlement agreement for *Citizens for Calvin L. Giles*. Michael Kasper was present on behalf of the committee. The General Counsel explained the settlement agreement which refers to penalties assessed for delinquent pre-election and semi-annual report filings along with ten percent of fines assessed for late Schedule A-1 filings. Mr. Sandvoss further explained that the payment amount is a portion of the total assessment subject to the ballot forfeiture provisions contained in Section 9-30. Mr. Kasper acknowledged that the assessments prior to November 2004 will still be owing and that the settlement agreement payment will be paid in full no later than January 19, 2006. Member Keith indicated if the Board accepted the proposal Representative Giles would still be subject to ballot forfeiture until sufficient payment is received and confirmed. Member Keith moved to approve the settlement agreement payment of \$25,275 which is in line with past Board practice and upon payment the November 2004 assessment would be settled in full. Member Porter seconded the motion with passed by roll call vote of 8-0.

Vice Chairman Rednour joined the meeting at 10:10 a.m.

Chairman Smart presented an updated ballot forfeiture list. Rupert Borgsmiller indicated there are three candidates on the list that face ballot forfeiture for the 2006 General Primary Election. Mr. Borgsmiller noted that reminder letters were sent out today and additional letters will be sent within a week indicating the intent to go forward with this matter at the January 19 Board meeting.

The next item on the agenda was request for certification of electronic voting systems. The Executive Director noted that both voting systems were set-up for demonstration in the Chicago and Springfield offices. The Chairman presented a request for certification of the Populex Hybrid In-Precinct Optical Scan voting system. Member Brady recused himself from this matter due to a conflict of interest. Sandy Morganstein, President of Populex and Mike Lavelle, were present in the Chicago office. Joe Aiello, Sangamon County Clerk, Stacy Kern, Sangamon County Director of Elections and Ronald Michaelson, Consultant for Sangamon County were present in the Springfield office. Dianne Felts provided a brief overview of her report. She explained that in excess of 200,000 ballots were tested for accuracy and staff encountered only a few minor problems which have been resolved. Ms. Felts indicated officials from the National Federation of the Blind tested the machines and provided some key suggestions which also will be addressed. In response to an inquiry from Member Keith, Mr. Morganstein and Ms. Felts verified that the source code was received prior to SBE testing. Member McGuffage moved to grant interim certification of the Populex voting system for use in Illinois. Member Porter seconded the motion which passed by roll call vote of 7-0-1 with Member Brady recusing himself.

Chairman Smart then presented the request for certification for the AutoMARK to be used in conjunction with Diebold's AccuVote optical scan voting system. Ed Claffy, Vice President of Business Development and Rob Resuali, Sales Manager were present in the Chicago office and Rick Vogel was present in the Springfield office. Rick Fulle explained the testing of the two machines was conducted utilizing voting equipment from Jackson and McHenry Counties. Mr. Fulle indicated that 2,300 ballots were tested perfectly and that the AutoMARK worked well with the AccuVote system. He also explained that some marking issues that were encountered have been addressed. Mr. Fulle then

recommended consideration and approval for certification based on his test findings. Vice Chairman moved to approve two year interim approval as recommended by staff. Member Schneider seconded the motion which passed by roll call vote of 8-0.

Request for certification of the Hart Intercivic Ballot Now Central Count Scan voting system was the next item for discussion. Ms. Felts indicated her report was not completed at this time and requested this matter be continued to the January 19 Board meeting. Discussion ensued concerning scheduling of a special Board conference call on January 12 to consider ballot withdrawals and a voting system certification.

Vice Chairman Rednour moved to recess to executive session. Member McGuffage seconded the motion which passed unanimously. Meeting recessed at 10:30 a.m. and reconvened at 10:52 a.m.

With there being no further discussion, Member Keith moved to adjourn until Thursday, January 12 for a special Board conference call sitting as the Duly Authorized State Officers Electoral Board. Member Schneider seconded the motion which passed by roll call vote of 8-0.

Respectfully submitted,

Administrative Specialist

Executive Director